

OGC 71-0579

19 April 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Interchange Agreement (CSC-CIA)

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1. On 12 April 1971, [] (OP) and I met with Messrs. Leich and Berg of the Civil Service Commission to discuss the possibility of a personnel interchange agreement. Such an agreement would be to enable Agency employees to acquire competitive status, which in turn would facilitate their transfer into other departments of government. Leich is Chief, Policy Development Division; Berg is an attorney in the CSC's Office of General Counsel.

2. The CSC's basic requirement for approval of an interchange agreement is that the agency have a true merit system for the appointment, promotion, transfer and termination of its employees. Thereafter an interchange agreement may be entered into either by way of CSC rules or an executive order. Thus, while the AEC agreement was consummated pursuant to rules, CSC's agreement with State is based on an executive order (E. O. 11219). Apparently, one of the considerations indicating a need for an order was the fact that FSOs are presidential appointees.

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3. On the basis of [] briefing of current Agency personnel policy, Leich thought we met the merit system requirement. It was his tentative opinion that in view of the Commission's disinclination to probe too deeply into Agency personnel matters, it would be more appropriate for us to seek an executive order. Berg concurred in this approach, although he may not have been quite as willing to accept the proposition that the Agency had a true merit system in a strict sense of the term.

4. We concluded the session with Leich offering to query the Commission for its reaction to an Agency interchange agreement based on an executive order. In addition, Berg is to check the files of his office to determine how the executive order issued for State was processed and by whom.

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Assistant General Counsel

cc: OP

